

Appln. No. 10/733,957
Response to Office Action dated Nov. 3, 2004
Amdt. dated Dec. 16, 2004

REMARKS/ARGUMENTS

Entry of this amendment and reconsideration of the present application are respectfully requested.

The courtesies extended by the Examiner and his supervisor, Ex. Paul Dickson, in an interview conducted on November 18, 2004 are gratefully appreciated.

Claims 60, 62, 64-66 and new claims 67 and 68 are pending in this application, claims 1-59, 61 and 63 having been cancelled. For the Examiner's convenience, Annex A is attached hereto and includes all of the pending claims without changes marked thereon.

Claim Rejections-35 U.S.C. §112

Claim 60 was rejected under 35 U.S.C. §112, second paragraph, on the grounds that the recitation of the sensor comprising a bladder having a chamber in claim 60 was unclear.

Claim 60 is amended to be directed to an apparatus for sensing pressure applied to a seat by an occupant of the seat and for controlling deployment of an airbag, comprising a bladder defining a chamber.

In view of this change, it is respectfully submitted that the Examiner's rejection of claim 60 under 35 U.S.C. §112, second paragraph, has been overcome and should be removed.

Claim Rejections-35 U.S.C. §112

Claims 60, 62 and 64-66 were rejected under 35 U.S.C. §102(b) as being anticipated by Fortune et al. (U.S. Patent No. 6,101,436).

The Examiner's rejection is respectfully traversed on the grounds that Fortune et al. should not be available as prior art against the patentability of pending claims 60, 62 and 64-66 (as well as new claims 67 and 68 as discussed below).

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Specifically, the subject matter of claims 60, 62 and 64-66 is supported in a parent application, U.S. patent application Ser. No. 08/474,783 (the '783 application) filed June 7, 1995, which predates the effective filing date of Fortune et al. (September 3, 1997) so that Fortune et al. should not be available as prior art against the patentability of these claims.

Priority of the '783 application has been properly claimed under 35 U.S.C. §120, through three intervening applications, namely U.S. patent application Ser. No. 09/128,490 (which is a continuation-in-part of the '783 application), U.S. patent application Ser. No. 09/193,209 (which is a continuation-in-part of the '490 application), and U.S. patent application Ser. No. 09/849,559 (which is a continuation-in-part of the '209 application), there is continuity of disclosure through these intervening applications, and there is at least one common inventor named in the instant application and the '783 application, i.e., David S. Breed.

As to support for the claimed subject matter in the '783 application, the rejected claims are set forth below in chart form with an indication of the disclosure thereof in the '783 application (reference being made to U.S. Patent No. 5,822,707 which issued from the '783 application).

60. An apparatus for sensing pressure applied to a seat by an occupant of the seat and for controlling deployment of an airbag, comprising:	
a bladder defining a chamber, said bladder being adapted to be arranged in a seat portion of the seat;	Container 515 (Col. 9, lines 47-52)
a control module; and	Control circuit or module 150 (Col. 5, line 35)
a pressure sensor for measuring a pressure in said chamber, said pressure sensor generating a signal based on the measured pressure in said chamber and providing said signal to said control module,	Pressure transducer 560 monitors pressure within container and inputs it into control circuit 150 (Col. 9 lines 57-59)
wherein said control module is arranged to control deployment of the airbag.	Control circuit 150 controls deployment of the airbag in various ways (Col. 11, line 30 to Col. 12, line 37)

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62. A method for controlling an occupant restraint device arranged to protect an occupant in a vehicle in a crash involving the vehicle, comprising the steps of:	
arranging a bladder defining a chamber in a seat portion of a seat in the vehicle;	Container 515 is arranged in the seat bottom 520 (Col. 9, lines 47-52)
measuring a pressure in the chamber;	Pressure transducer 560 monitors pressure within container 515 (Col. 9 lines 57-59)
providing a signal based on the measured pressure in the chamber to a control module; and	Pressure transducer 560 inputs monitored pressure within container 515 into control circuit or module 150 (Col. 9 lines 57-59 and Col. 5, line 35)
controlling deployment of the occupant restraint device by means of the control module.	Control circuit 150 controls deployment of an airbag (one type of occupant restraint device) in various ways (Col. 11, line 30 to Col. 12, line 37)
64. The method of claim 62, wherein the occupant restraint device is an airbag.	Occupant restraint device may be an air bag (Col. 11, lines 30-33).
65. A vehicle including a system for protecting an occupant in the vehicle in a crash involving the vehicle, comprising:	
a seat having a seat portion;	Seat bottom 520 (Col. 9, lines 47-48)
a bladder having a chamber, said bladder being arranged in said seat portion;	Container 515 is arranged in seat bottom 520 (Col. 9, lines 47-52)
a control module;	Control circuit or module 150 (Col. 5, line 35)
a pressure sensor for measuring a pressure in said chamber, said pressure sensor generating a signal based on the measured pressure in said chamber and providing said signal to said control module, and	Pressure transducer 560 monitors pressure within container and inputs it into control circuit 150 (Col. 9 lines 57-59)
an occupant restraint device arranged in the vehicle to protect the occupant of the vehicle,	Airbag 900 (Col. 11, lines 35-44 and Col. 12, lines 17-29)
wherein said control module is arranged to control deployment of said occupant restraint device.	Control circuit 150 controls deployment of the airbag in various ways (Col. 11, line 30 to Col. 12, line 37)
66. The system of claim 65, wherein the occupant restraint device is an airbag.	Occupant restraint device may be an air bag (Col. 11, lines 30-33).

In view of the foregoing, it is respectfully submitted that all of the subject matter of the rejected claims is sufficiently disclosed in the parent '783 application to be entitled to the benefit of the filing date thereof. The subject matter is also present in the intervening applications identified above.

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Since the subject matter of the pending claims is entitled to the benefit of a filing date preceding that of Fortune et al., Fortune et al. should not be available as prior art and accordingly, the Examiner's rejection of claims 60, 62 and 64-66 as being anticipated by Fortune et al. has been overcome and should be removed.

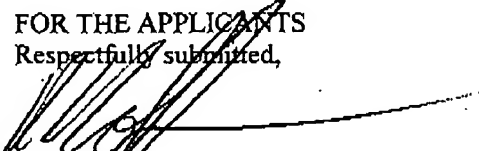
New Claims

Claims 67 and 68 are added and are directed to the feature of the control circuit or module 150 controlling at least one other vehicular system, subsystem or component, for example, the air compressor 555 which causes an increase of pressure in the container 515. These embodiments are disclosed in the '783 application and thus entitled to the benefit of the filing date thereof (see Col. 9, lines 55-56).

In view of the foregoing, it is respectfully submitted that the Examiner's rejections have been overcome and should be removed and that the present application is now in condition for allowance.

An early and favorable action on the merits is earnestly solicited.

FOR THE APPLICANTS
Respectfully submitted,


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ANNEX A

60. An apparatus for sensing pressure applied to a seat by an occupant of the seat and for controlling deployment of an airbag, comprising:

a bladder defining a chamber, said bladder being adapted to be arranged in a seat portion of the seat;

a control module; and

a pressure sensor for measuring a pressure in said chamber, said pressure sensor generating a signal based on the measured pressure in said chamber and providing said signal to said control module, wherein said control module is arranged to control deployment of the airbag.

62. A method for controlling an occupant restraint device arranged to protect an occupant in a vehicle in a crash involving the vehicle, comprising the steps of:

arranging a bladder defining a chamber in a seat portion of a seat in the vehicle;

measuring a pressure in the chamber;

providing a signal based on the measured pressure in the chamber to a control module; and

controlling deployment of the occupant restraint device by means of the control module.

64. The method of claim 62, wherein the occupant restraint device is an airbag.

65. A vehicle including a system for protecting an occupant in the vehicle in a crash involving the vehicle, comprising:

a seat having a seat portion;

a bladder having a chamber, said bladder being arranged in said seat portion;

a control module;

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a pressure sensor for measuring a pressure in said chamber, said pressure sensor generating a signal based on the measured pressure in said chamber and providing said signal to said control module, and

an occupant restraint device arranged in the vehicle to protect the occupant of the vehicle, wherein said control module is arranged to control deployment of said occupant restraint device.

66. The system of claim 65, wherein the occupant restraint device is an airbag.

67. The method of claim 62, further comprising the step of controlling at least one other vehicular system, subsystem or component by means of the control module.

68. The method of claim 67, wherein the at least one other system, subsystem or component is a pressure control device which controls pressure in the chamber.